

9 FAM 41.111 Procedural Notes

(TL:VISA-277; 05-10-2001)

9 FAM 41.111 PN1 Requirements for Reissuance in United States of E, H, I, L, O, and P Visas

(TL:VISA-277; 05-10-2001)

a. Before the Department will entertain an application for reissuance (or renewal) of an E, H, I, L, O, or P nonimmigrant visa in the United States under 22 CFR 41.111(b)(2), the following conditions must be met:

(1) *The alien's passport must be valid for at least six months from the date of his and/or her entry into the United States. Also the alien's nationality must be the same as it was when the previous visa was issued;*

(2) *The passport (or accompanying previous passport) must contain a previous visa bearing the same classification as that which is now being sought. The existing visa must not have a remaining validity of more than sixty days, nor may it have been expired for more than one year; and*

(3) *Each applicant listed in the passport will receive an individual machine-readable visa, therefore, the passport must contain an unmarked page where the U.S. visa is to be placed.*

b. The Visa Office is authorized to replace mutilated or lost visas only if the:

(1) Visa was previously issued in the Department within the last 12 months;

(2) Department still has a record of the reissuance; and

(3) Applicant presents all documentation and fees as required for a new visa.

9 FAM 41.111 PN2 Documentation and/or Requirements for Reissuance in United States of E, H, I, L, O, and P Visas

(TL:VISA-277; 05-10-2001)

a. The following documents and/or requirements are necessary for reissuance of a visa in the U.S.:

(1) Along with the passport as described in 9 FAM 41.111 PN1, a properly executed TYPED Form OF-156, (Nonimmigrant Visa Application) is required for each applicant. If Form OF-156 is reproduced, it must be trimmed to the size of the original form. When completing Form OF-156, the month of birth must be spelled out (i.e. "January 2" -- NOT 1-2 or 2-1). This form may be obtained via autofax at 202-647-3000, document number 6306. If the OF-156 is incomplete or improperly filled out, the passport(s) will be returned without visas.

(2) A passport size photo for each visa applicant, regardless of age. See 9 FAM 41.113 PN1.2. (Group photos are not acceptable).

(3) The original Form I-94, Arrival Departure Record annotated by the Immigration and Naturalization Service (INS) officer when the alien was last admitted to the United States. If the dependents are applying separately from the principal alien, certified copies of the principal's I-94 (front and back) and his and/or her visa must be submitted in addition to the other requirements.

(4) A non-refundable processing fee for each applicant. The current machine-readable visa (MRV) processing fee is \$45.00 per applicant. This processing fee must be submitted in a corporate check or money order, made payable to the U.S. Department of State, and not included in the corporate check or money order for the visa based upon the reciprocity schedule. If there is more than one applicant, the MRV processing fees may be combined into one check or money order, but must be kept separate from the reciprocity fee. Cash or personal checks are not acceptable.

(5) Certain nationalities must also pay the reciprocity fee. The amount of these fees vary from country to country. [See the appropriate reciprocity schedule under the country concerned in 9 FAM Part IV Appendix C.] In the case of multiple applicants, all of the reciprocity fees may be consolidated into one check or money order, but must be kept separate from the MRV processing fee. The money order or certified check should be made payable to the U.S. Department of State. Cash or personal checks are not acceptable.

(6) A self-addressed, postage prepaid envelope or properly prepared courier pack for return of the passport(s) and/or request.

All documentation must be sent to the following:

FOR POSTAL SERVICE
U.S. Department of State/Visa
P.O. Box 952099
St. Louis, MO 63195-2099

FAX: 202-663-1608

FOR COURIER SERVICE
U.S. Department of State/Visa
1005 Convention Plaza
St. Louis, MO 63101-1200
FAX: 202-663-1608

b. The following documentation is required, in addition to those mentioned above, for the categories listed below. Also, If the spouse and/or dependent children are applying separately from the principal alien, the evidence is still required, as well as certified copies of the principal alien's Form I-94 and visa. The dependent must apply for the same visa classification as held by the principal alien.

E-1 TREATY TRADER VISAS:

Each applicant must submit:

(1) A comprehensive letter addressed to Visa Services, Department of State, on the business or employer's letterhead, describing in detail the nature and function of the business and the applicant's position;

(2) The letter should demonstrate the alien's entitlement to the E-1 status based on the continued trade between the United States and the country of the applicant's nationality; and

(3) The letter must contain a statement of unequivocal intent that the applicant will depart the United States when the E status ends. The letter should bear an original signature.

E-2 TREATY INVESTOR VISAS:

Each applicant must submit:

(1) A comprehensive letter addressed to Visa Services, Department of State, describing in detail the nature and function of the investment and the extent of the principal alien's participation in the investment. The letter should also contain a statement of the applicant's unequivocal intent to depart the United States when the E status ends; and

(2) A copy of the investment's most recent financial statement;

H VISAS:

Each applicant must submit:

(1) A comprehensive letter addressed to Visa Services, Department of State, on the business or employer's letterhead identifying the applicant, and describing in detail the nature of the applicant's position. The letter must bear an original signature; and

(2) A valid Form I-797A Notice of Action (top and bottom portions).

I VISA:

Each applicant must submit:

(1) A comprehensive letter addressed to Visa Services, Department of State, on the business or employer's letterhead; and

(2) The letter should contain an original signature and should identify the applicant, describing in detail the nature and function of his and/or her position.

L VISAS:

Each applicant must submit:

(1) A letter on business or employer's letterhead addressed to Visa Services, Department of State. The letter should bear an original signature;

(2) The letter should explain in detail the applicant's position, and nature and function of the business; and

(3) The top and bottom portions of valid Form I-797A.

O AND P VISAS:

Each applicant must submit:

(1) A comprehensive letter on business or employer's letterhead addressed to Visa Services, Department of State;

(2) The letter should describe in detail the nature and function of the business and contain an original signature. The applicant should be identified as well as the nature and function of his or her position;

(3) The top and bottom portions of valid Form I-797A; and

(4) O-2 and P visa applicants must submit a statement indicating that they have a residence abroad which they have no intention of abandoning.